



RECEIVED
0300
SEP 06 2001
PATENT
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hector F. DeLuca et al

09/871,227

Application No. 09/671,227

Filed: May 31, 2001

Group Art Unit: 1614

2-ETHYL AND 2-ETHYLIDENE-19-
NOR-VITAMIN D COMPOUNDS

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
being deposited with the United States Postal
Service with sufficient postage as first class
mail in an envelope addressed to:
Commissioner of Patents, Washington, D.C.
20231, on this 10th day of August, 2001.

) Dorothy A. Hauser August 10, 2001
Dorothy A. Hauser Date

TRANSMISSION OF EXECUTED DECLARATION

Attention: Box Missing Parts - Fee
Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the "Notice to File Missing Parts of Nonprovisional Application", mailed August 1, 2001, copy attached, enclosed for filing in the above application is the executed Declaration.

A check in the amount of \$65.00 is attached for the surcharge.

The Commissioner is hereby authorized to charge any additional fees in accordance with 37 C.F.R. 1.16(e) to Deposit Account No. 01.2000. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By

Thomas M. Wozny

Thomas M. Wozny
Reg. No. 28,922

RECEIVED
SEP 10 2001
TC 1700
Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, WI 53202
(414) 271-7590
Attorney Docket No.: 1256-00765

RECEIVED
SEP - 4 2001
1C 3700 MAIL ROOM

0001/PTO
Rev. 10/95U.S. Department of Commerce
Patent and Trademark Office**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of pages in this Submission

8

Application Number	09/671,227
Filing Date	May 31, 2001
First Named Inventor	Hector F. DeLuca
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	1256-0075

3700 Sector
1700
PCT CENTER
TECHNICAL
DEPARTMENT
1001/2000

SEP 06 2001

RECEIVED

Enclosures (check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment/Response
 After final
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement/PTO-1449
 Certified Copy of Priority Document(s)
 Response to Missing Parts/
Incomplete Application
 Response to Missing
Parts Under 37 1.52 or 1.53

- Assignment Papers
(for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition Checklist and
Accompanying Petition
 To Convert a Provisional
Application
 Power of Attorney,
Revocation, Change of
Correspondence Address
 Terminal Disclaimer

- After Allowance
Communication To Group
 Appeal Communication to
Board Of Appeals and
Interferences
 Appeal Communication to
Group (Appeal Notice, Brief,
Reply Brief)
 Proprietary Information
 Status Letter
 Additional Enclosure(s)
(Please identify below)
 Return Receipt Postcard

RECEIVED

SEP 10 2001

TC 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	Thomas M. Wozny, Reg. No. 28,922 ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
-------------------------------	---

Signature

Thomas M. Wozny

Date

August 10, 2001

TC 3700 MAIL ROOM
SEP -4 2001
RECEIVED**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

August 10, 2001

Typed or printed name **Dorothy A. Hauser**

Signature

Dorothy A. Hauser



AUG 14 2001

Approved for use through 9/30/98
Patent and Trademark Office: U.S. Department of Commerce

TECH CENTER 1600/2000

RECEIVED

PTO/SB/17

FEE TRANSMITTAL

COMPLETE IF KNOWN

Total Amount of Payment (\$ 65.00)

Application Number 09/671,227

Filing Date May 31, 2001

First Named Inventor Hector F. DeLuca

Group Art Unit 1614

Examiner Name

Attorney Docket Number 1256-00765

METHOD OF PAYMENT (check one)

FEE CALCULATION (continued)

RECEIVED

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

01.2000

Deposit Account Name

ANDRUS, SCEALES, STARKE & SAWALL, LLP

- Charge any additional fee required under 37 CFR 1.16 and 1.17

- Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance. 37 CFR 1.311(b)

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee	Fee Description	Fee Paid
101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

SUBTOTAL (1) (\$)

2. CLAIMS

Fee From below

Total claims	=	X	=
Independent Claims	=	X	=
Multiple Dependent Claims	X	=	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim
109	80	209	40 Reissue independent claims over original patent
110	18	210	9 Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	TC 1700 \$65.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for examination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for response within first month	
116	380	216	190 Extension for response within second month	
117	870	217	435 Extension for response within third month	
118	1,360	218	680 Extension for response within fourth month	
128	1,850	228	925 Extension for response within fifth month	
119	300	218	150 Notice of Appeal	
120	300	220	150 Filing a brief in support of an appeal	
121	260	221	130 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive unavoidably abandoned application	
141	1,240	241	620 Petition to revive unintentionally abandoned application	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	580	244	290 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Petitions related to provisional applications	
126	240	126	240 Submission of Information Disclos. Stmt	
591	40	591	40 Recording each patent assignment per property (times number of properties)	
146	710	246	355 Filing a submission after final rejection (37 CFR 1.29(a))	
149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

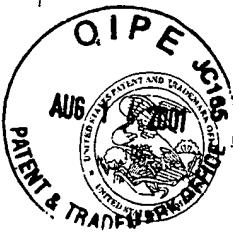
* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$65.00

SUBMITTED BY

Complete (if applicable)

Typed or Printed Name	Thomas M. Wozny	Registration Number	28,922
Signature	Thomas M. Wozny	Date	8-10-2001



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
Page 1 of 1
SEP 06 2001
TECH CENTER 2000
2000

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/871,227	05/31/2001	Hector F. DeLuca	1256-00765

Thomas M. Wozny
Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, WI 53202

RECEIVED



OC00000006369953

SEP 10 2001

TC 1700

Date Mailed: 08/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/16/2001 RBELETE1 00000041 09871227

01 FC:205

65.00 OP

RECEIVED
SEP 10 2001
CUST. & USES/P-4
TECH CENTER 2000
MAIL ROOM